IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 19TH JULY 2007 / 28TH ASHADHA 1929

WP(C).No. 22253 of 2007(Y)

PETITIONER:

K.SASIDHARAN, LIBRARIAN GRADE-I,
(UNDER ORDERS OF TRANSFER)
GOVERNMENT LAW COLLEGE, KOZHIKODE.

BY ADV. SRI.P.M.PAREETH

RESPONDENTS:

---

1. STATE OF KERALA REPRESENTED BY
PRINCIPAL SECRETARY TO GOVERNMENT,
HIGHER EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. PRINCIPAL SECRETARY TO GOVERNMENT,
HIGHER EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

3. K.V.ABBAS, LIBRARIAN GRADE - I,
GOVERNMENT LAW COLLEGE, KOZHIKODE.

BY GOVERNMENT PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.BASHEER, J.

W.P.(C)No.22253 OF 2007

Dated this the 19th day of July, 2007

JUDGMENT

Petitioner impugns Ext.P1 order issued by respondent no.2 by which he has been transferred from Kozhikode and posted as Librarian Grade-I in Government Engineering College, Sreekrishnapuram, Palakkad. Petitioner contends that the above order is totally vitiated and illegal and it is only at the behest of some politicians to help respondent no.3. It is the specific case of the petitioner that respondent no.3 had worked at Palakkad only for 8 or 9 months. He had been working in Kozhikode which is his home town, for nearly 20 years before he was transferred to Palakkad. But he has now been given a transfer back to his home town after barely nine months. On the contrary, petitioner has got a longer period of outstation service as compared to that of respondent no.3.

2. I do not propose to deal with any of the above contentions at this stage, in view of the limited prayer made by the learned counsel for the petitioner at the Bar. He submits that petitioner will be satisfied, if a direction is issued to respondent no.2 to take a

decision on Ext.P5 representation submitted by him in which he has highlighted his grievances and other relevant aspects of the issue.

3. One of the prayers made by the petitioner in this writ petition is to give a sympathetic consideration to his request to accommodate him against a retirement vacancy which is likely to arise in Kozhikode in the very near future.

4. Having regard to the facts and circumstances, the writ petition is disposed of with a direction to respondent no.2 to consider and pass orders on Ext.P5 representation as expeditiously as possible, at any rate, within three months from the date of receipt of a copy of this judgment. I do not find any reason why respondent no.2 shall not give a sympathetic consideration to the request made by the petitioner to accommodate him in the vacancy which is likely to arise at Kozhikode, if he is eligible and there is no other legal impediment.

Writ petition is disposed of as above.

A.K.BASHEER, JUDGE

jes